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Attorneys for Defendants
TOWN OF ATHERTON, DIEGO ROMERO,
DIMITRI ANDRUHA, IGOR DAVIDOVICH
(erroneously sued as Igor Davidowich), and
JOSHUA GATTO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

K.C., by and through his Guardian ad Litem,
MYISCHA THOMPSON; D.B., by and
through his Guardian ad Litem, LIBRA
WHITE,

Plaintiff,

v.

TOWN OF ATHERTON, a municipal
corporation; DAVID METZGER, individually
and in his official capacity as a police sergeant
for the TOWN OF ATHERTON; DIEGO
ROMERO, individually and in his official
capacity as a police officer for the TOWN OF
ATHERTON; IGOR DAVIDOWICH,
individually and in his official capacity as a
police officer for the TOWN OF
ATHERTON; JOSHUA GATTO, individually
and in his official capacity as a police officer
for the TOWN OF ATHERTON; DIMITRI
ANDRUHA, individually and in his official
capacity as a police officer for the TOWN OF
ATHERTON; SEQUOIA UNION HIGH
SCHOOL DISTRICT, a municipal
corporation; STEPHEN EMMI, individually
and in his official capacity, NICK MUYS,
individually and in his official capacity, and
DOES 1-100, inclusive, individually, jointly,
and severally,

Defendants.

Case No. 3:24-cv-00507-RFL

**STIPULATION FOR FURTHER
EXTENSION OF TIME FOR
ATHERTON DEFENDANTS TO FILE
A RESPONSIVE PLEADING**

STIPULATION

Plaintiffs K.C., by and through his Guardian ad Litem, Myischa Thompson; D.B., by and through his Guardian ad Litem, Libra White (collectively “Plaintiffs”) and Defendants Town of Atherton, Diego Romero, Dimitri Andruha, Igor Davidovich (erroneously sued as Igor Davidowich), and Joshua Gatto (collectively “Atherton Defendants”), by and through their respective undersigned counsel, pursuant to Northern District Civil Local Rule 6-1(a), hereby stipulate as follows:

Plaintiffs filed the Complaint for Damages on January 26, 2024;

Plaintiffs did not serve Atherton Defendants with the Complaint for Damages;

Plaintiffs filed the First Amended Complaint on April 1, 2024;

Atherton Defendants executed waivers of service of the First Amended Complaint on May 8, 2024;

Atherton Defendants’ initial deadline to respond to the First Amended Complaint was July 8, 2024;

On July 3, 2024, counsel for Plaintiffs and counsel for Atherton Defendants filed stipulation for an extension of time for Atherton Defendants to file their responsive pleading as the parties engaged in their meet and confer efforts related to the First Amended Complaint;

On August 19, 2024, counsel for Plaintiffs and counsel for Atherton Defendants filed a further stipulation for an extension of time for Atherton Defendants to file their responsive pleading as the parties engaged in their meet and confer efforts related to the First Amended Complaint;

Counsel for Plaintiffs and counsel for Atherton Defendants have continued and are currently engaged in ongoing meet and confer efforts related to the First Amended Complaint;

Counsel for Plaintiffs has acknowledged that some of the claims brought in the First Amended Complaint maybe subject to a motion to dismiss;

Plaintiffs and the Atherton Defendants agree that in the interest of judicial economy, and in light of Plaintiffs’ intention to amend the complaint with respect to the Atherton Defendants, a responsive pleading deadline should follow the Court’s ruling on the pending motion to dismiss;

1 Plaintiffs and the Atherton Defendants agree that additional time will be needed to
2 complete their meet and confer efforts to avoid unnecessary motion practice;

3 There have been two previous extension of time to respond to the First Amended
4 Complaint, as noted above;

5 The extension of time set forth below will not alter the date of any event or any deadline
6 already fixed by Court order.

7 NOW THEREFORE, THE UNDERSIGNED PARTIES STIPULATE TO the
8 following:

9 That counsel of record for Plaintiffs and Atherton Defendants have the authority to enter
10 into this Stipulation on behalf of their respective clients.

11 That the deadline for the Atherton Defendants to file a response to Plaintiffs' First
12 Amended Complaint is extended to February 24, 2024.

13
14 **IT IS SO STIPULATED.**

15 DATED: October 10, 2024

HAWKINS PARNELL & YOUNG LLP

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18 By: /s/ Danielle K. Lewis
DANIELLE K. LEWIS
Attorneys for Defendants
TOWN OF ATHERTON, DIEGO
ROMERO, DIMITRI ANDRUHA,
IGOR DAVIDOVICH (erroneously
sued as Igor Davidowich), and JOSHUA
GATTO
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DATED: October 10, 2024

BURRIS NISENBAUM CURRY & LACY
LLP

By: /s/ Christopher A. Dean
JOHN L. BURRIS
CHRISTOPHER A. DEAN
Attorneys for Plaintiffs
K.C., by and through his Guardian ad
Litem, MYISCHA THOMPSON; D.B.,
by and through his Guardian ad Litem,
LIBRA WHITE

DATED: October 10, 2024

SPECIAL EDUCATION COLLABORATION
PROJECT

By: /s/ Evan Goldsen
EVAN GOLDSSEN
CARLY CHRISTOPHER
Attorneys for Plaintiffs
K.C., by and through his Guardian ad
Litem, MYISCHA THOMPSON; D.B.,
by and through his Guardian ad Litem,
LIBRA WHITE

FILER'S ATTESTATION

I, Danielle K. Lewis, hereby attest that all other signatories listed herein concur in the
filing's content and have authorized that their electronic signature be affixed above and have
authorized the filing.

DATED: October 10, 2024

/s/ Danielle K. Lewis
DANIELLE K. LEWIS